

Appl. No. 10/052,282  
Amdt. dated March 27, 2006  
Reply to Final Office Action of November 1, 2005

PATENT

### REMARKS/ARGUMENTS

This Amendment is in response to the Office Action mailed November 1, 2005. Claims 2-5, 7-16, 18-21, 23, 24, 26-32, 37, 38, 40, and 41 were pending in the present application. This Amendment amends claims 2, 4, 16, and 20; cancels claims 3, 5, 7-15, 18-19, 23, 24, 26-32, 37, 38, 40, and 41; and adds new claim 42, leaving pending in the application claims 2, 4, 16, 20, 21, and 42. Reconsideration of the rejected claims and consideration of the newly presented claim is respectfully requested.

#### **I. Rejection under 35 U.S.C. §112**

Claims 3-5 are rejected under 35 U.S.C. §112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. In particular, claim 3 is rejected as including a limitation that "the peripheral device is detected when it is in a predetermined distance to the device" (OA p. 3). Claims 3 and 5 have been canceled from the present application, and claim 4 as amended depends from claim 2, such that the rejected language is no longer present in these claims. Applicants therefore respectfully request that the rejection with respect to claim 4 be withdrawn.

#### **II. Rejection under 35 U.S.C. §102**

Claims 2, 5, 12, 15-16, 18-19, and 40 are rejected under 35 U.S.C. §102(e) as being anticipated by *Ashwin* (US 6,232,877). Applicants respectfully submit that *Ashwin* does not disclose each element of these claims.

For example, Applicants' claim 2 recites a method for operating a service device to provide a service, comprising:

detecting a request from a requesting device to provide said service;  
obtaining peripheral information relating to one or more peripheral devices, said  
peripheral devices being within a predetermined distance of said service device; and  
providing said service depending on said peripheral information,  
wherein said providing step is further dependent on history information with time  
and relating to one or more of said requesting device, a user of said requesting device, said service  
device, and said peripheral devices

(*emphasis added*). Such limitations are not disclosed by *Ashwin*.

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*Ashwin* discloses an electronic tag-based security system, wherein primary and secondary id tags are used to monitor whether a person having a primary id tag is authorized to use or remove an item with a secondary id tag (col. 1, lines 7-46; col. 2, lines 43-54). The tags may be active tags, including an RF transmitter for intermittently transmitting the identification data (col. 2, lines 57-59). *Ashwin* does not disclose detecting a request from a requesting device, but instead teaches detecting identification information from an identification device. It is respectfully submitted that submitting a request for a specific service at a specific time for a specific device is not the same as periodically transmitting identification information. The id tags are not disclosed to ever request a service, but instead simply broadcast identity information which can be processed by a reading apparatus. As such, *Ashwin* cannot anticipate claim 2 or dependent claim 4.

Further, Applicants' claim 2 as amended recites that the providing step is dependent on history information with time. The Office Action indicates that information about the person to whom the tag was issued qualifies as history information (OA p. 4). Applicants respectfully disagree with this assertion. Further, claim 2 as amended clarifies that the history information is with time, as the information is time-related and includes the time for that history information. As *Ashwin* does not disclose or suggest such information, *Ashwin* cannot anticipate claim 2 or dependent claim 4.

Applicants' claim 16 recites limitations that similarly are not disclosed or suggested by *Ashwin*, such that *Ashwin* cannot anticipate Applicants' claim 16 or dependent claim 41.

Applicants therefore respectfully request that the rejection with respect to claims 2, 4, and 16 be withdrawn.

### III. Rejection under 35 U.S.C. §103

#### (a) *Ashwin, Francis, and Breed*

Claims 3, 4, 7-10, 13, 27, 28, 37, and 41 are rejected under 35 USC §103(a) as being obvious over *Ashwin* in view of *Francis* (US 6,600,418) and further in view of *Breed* (US 6,823,244). Claim 4 depends from claim 2, which is not rendered obvious by *Ashwin* for reasons including those discussed above. *Francis* and *Breed* do not make up for these deficiencies in

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*Ashwin* with respect to claim 2. *Francis* is cited as teaching a tag providing identification and location information, and *Breed* is cited as teaching infrared wireless means (OA p. 6). Neither reference, however, teaches or suggests "detecting a request from a requesting device to provide said service" where "said providing step is further dependent on history information with time." As such, claim 2 and dependent claim 4 cannot be rendered obvious by *Ashwin*, *Francis*, and *Breed*, either alone or in any combination. The other claims have been canceled. Applicants therefore respectfully request that the rejection with respect to claim 4 be withdrawn.

(b) *Ashwin and Chan*

Claim 11 is rejected under 35 USC §103(a) as being obvious over *Ashwin* in view of *Chan* (US 5,550,547). Claim 11 has been canceled, such that the rejection is now moot.

(c) *Ashwin and Asama*

Claim 14 is rejected under 35 USC §103(a) as being obvious over *Ashwin* in view of *Asama* (US 5,929,778). Claim 14 has been canceled, such that the rejection is now moot.

(d) *Ashwin, Francis, and Gordon*

Claims 20-21, 23-24, 26, 29, 30-32, and 37-38 are rejected under 35 USC §103(a) as being obvious over *Ashwin* in view of *Francis* and further in view of *Gordon* (US 6,567,486). Applicants' claim 20 recites a method for operating a service device in a room to provide a service comprising:

detecting a request from a requesting device in a room to provide said service;  
obtaining peripheral information relating to one or more peripheral devices in a room, said peripheral devices being within a predetermined distance of said requesting device;  
and

providing said service depending on said peripheral information,  
wherein said peripheral information includes information relating to positions of said peripheral devices relative to said requesting device, the information relating to positions determined using a time difference between a first time at which said request was sent from said requesting device and a second time at which said request was received by said service device

(emphasis added). Such limitations are neither taught nor suggested by these references. As recognized in the Office Action on page 10, *Ashwin* "is silent on teaching obtaining second

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peripheral information relating to position of the peripheral device relative to the service device and the positional information is determined using a time difference between a first time at which the request was sent and a second time at which the request was received." Further, *Ashwin* does not teach or suggest detecting a request from a requesting device, as discussed above. Neither *Francis* nor *Gordon* makes up for these deficiencies in *Ashwin* with respect to claim 20. *Francis* is discussed above, and does not teach or suggest these limitations. *Gordon* teaches the strict requirements of time difference of arrival (TDOA) for three different, accurately synchronized base stations (col. 1, lines 25-62). *Gordon* also teaches a known transmitted signal that may be simultaneously captured by a plurality of base stations (col. 1, lines 25-62). It is known that TDOA does not capture signals well in disturbed radio-wave circumstances, particularly in a small enclosed space such as a room. Applicants' claim 20 as amended recites obtaining peripheral information relating to one or more peripheral devices in a room, and *Gordon* does not teach or suggest how such a limitation can be accomplished using a TDOA approach. As such, *Gordon* cannot render Applicants' claim 20 or dependent claim 21 obvious, either alone or in combination with *Ashwin*. Applicants therefore respectfully request that the rejection with respect to claims 20 and 21 be withdrawn.

#### IV. Amendment to the Claims

Unless otherwise specified, amendments to the claims are made for purposes of clarity, and are not intended to alter the scope of the claims or limit any equivalents thereof. The amendments are supported by the specification and do not add new matter.

#### V. Newly Presented Claim

Claim 42 has been added to cover different aspects of the present invention. In particular, claim 42 has been added to allow the limitations of canceled claim 9 to depend from claim 16. This claim is supported by the specification and does not add new matter. Applicants therefore respectfully request consideration of newly presented claim 42.

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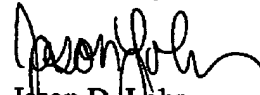
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**CONCLUSION**

In view of the foregoing, Applicants believe all claims now pending in this Application are in condition for allowance and an action to that end is respectfully requested.

If the Examiner believes a telephone conference would expedite prosecution of this application, please telephone the undersigned at 650-326-2400.

Respectfully submitted,

  
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